Bill further to amend the Mysore Village Offices Regulation, 1908.

Whereas it is expedient to further amend the Mysore Village Offices Regulation, 1908; it is hereby enacted as follows :—

1. After Section 6 of the said Regulation, the following new sections shall be added :—

"6 (A). The Deputy Commissioner may, with the consent of the holder of any village office given in writing, resume such village office upon such terms regarding compensation and other matters as may be agreed upon by the Deputy Commissioner and such holder and subject to such rules as may be made by the Government in this behalf."

"6 (B). The Government may, when they consider it desirable in the public interests, direct by notification in the Official Gazette the Deputy Commissioner to resume any village office upon such terms as to compensation and other matters as may be prescribed by the Government by rules in this behalf."

"6 (C). Upon such resumption under Section 6 (A) or 6 (B), the village office shall vest in the Government free of all rights of the holder thereof, his heirs and successors, and such holder, his heirs and successors shall be relieved in perpetuity of their liability to perform service in respect of such office."

"6 (D). (1) When any village office is resumed under Section 6 (A) or Section 6 (B), lands if any assigned to such office as emoluments may be enfranchised on such terms as the Government may by rules prescribe in this behalf in regard to the premium to be paid by the holder of such office, the assessment to be levied in respect of the land so enfranchised and the like matters and on such enfranchisement nothing in Section 5 shall apply to the lands so enfranchised.

(2) The premium prescribed in Sub-section (1) shall be recoverable as an arrear of land revenue."

2. The following shall be added as Sub-section (6) to Section 8 of the said Regulation :—

"(6) Nothing contained in Sub-sections (2) and (3) shall apply to a village office for the performance of the duties of which a stipendiary officer has been appointed."

3. The following shall be added to Section 9 of the said Regulation as paragraph 3 :—

"If, in an alienated village, the office of Patel or Shanbhog is not hereditary, the holder of such village may with the permission of the Deputy Commissioner arrange for the performance of the duties of such office by himself or by other agency. On failure of such holder to make such arrangement, within such time as may be fixed by the Deputy Commissioner, the Deputy Commissioner may appoint stipendiary Patel or Shanbhog whose salary shall be recoverable from the holder of the village as an arrear of land revenue."

4. After clause (iv) of Sub-section (1) of Section 22 of the said Regulation, the following clauses shall be added :—

"(iv) A. Conditions subject to which village offices may be resumed under Section 6 (A) or Section 6 (B).

"(iv) B. Terms on which lands assigned to village officers as emoluments may be enfranchised."

STATEMENT OF OBJECTS AND REASONS.

In an order passed on 10th July 1935, Government declared their policy that the hereditary system in respect of village offices should be terminated as rapidly as circumstances permitted and that this class of public servants should be replaced by stipendiary officers.

This Bill has been prepared with a view to give power to the Deputy Commissioner to enable him to terminate the hereditary right in a village office with the consent of the holder upon such terms as to compensation and other matters as may be prescribed and agreed upon.

Provision is also made for the compulsory acquisition of the right when Government consider it desirable in public interests.

When the hereditary right is commuted, the *inam* lands attached to the office will be enfranchised.

The Bill also provides for another matter relating to the power proposed to be given to an *inamdar* to make his own arrangements to carry on the duties of Patels and Shanbhogs in an *inam* village where there are no hereditary officers. This is in pursuance of the orders

passed by Government on the report of the *Inam* Committee appointed in 1932 in an order, dated 16th July 1935, in which Government held the view that the *inamdar* should not be compelled to employ Shanbhogs and Patels for every alienated village under him, but should be at liberty to make any arrangement he liked to collect the revenue, grant receipts, maintain and submit to the Government authorities the required accounts and to perform the police duties required by Government of a village headman. But if he wished to do the work himself or to employ any other agency on payment of a salary, Government thought that he should be at liberty to do so.

With a view to give effect to the policy of Government as enunciated in the order referred to above, it is proposed to amend Section 9 of the Village Offices Regulation so as to provide for the *inamdar* being allowed to do the work of the Patel or Shanbhog in an *inam* village himself or to employ other agency on payment of a salary.

No. 3876—*L. C., dated Bangalore, 7th April* 1937.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Minor Tank Restoration Regulation, 1916, is published for general information with the Statement of Objects and Reasons.

By Order,

A. SUNDARARAJA RAO,
Secretary, Mysore Legislative Council.

Bill further to amend the Minor Tank Restoration, Regulation, 1916.

Whereas it is expedient to further amend the Minor Tank Restoration Regulation, 1916, it is hereby enacted as follows :—

1. For section 2 of the Minor Tank Restoration Regulation, 1916 (hereinafter referred to as the said Regulation) the following section shall be substituted.—

"2. In this Regulation :

(1) A "Minor Tank" means a tank the annual assessment on whose irrigable area is Rs. 300 or less and which has not been notified by the Government as a major tank and includes such minor tanks situate in an alienated village.

(2) "Restoration" means restoring to an efficient condition a tank which, from neglect, accident or other cause, has fallen into disuse or become impaired or less efficient than formerly."

2. (1) After sub-section (2) of section 4 of the said Regulation, the following new sub-section shall be inserted :—

"(2. A) In the case of minor tanks situate in alienated villages the cost of restoration shall, after deducting the raiyats' contribution under sub-section (2), be borne by the Government and the superior holder in the proportion of the land revenue payable by the said superior holder to the Government and the total assessment of the village less the land revenue payable by the said superior holder to the Government."

(2) In sub-sections (3) and (4) of section 4 of the said Regulation, the words and figure "or sub-section (2.A)" shall be inserted after the words and figure "sub-section (2)".

STATEMENT OF OBJECTS AND REASONS.

In passing orders on the recommendation of the Committee appointed for suggesting measures for improving the condition of tenants in inam and jodi villages, Government accepted the recommendation of the Committee to give effect to the orders passed on the Inam Commission of 1918 in regard to the enforcing of the responsibilities of inamdars and tenants in respect of restoration of minor tanks.

In order to implement this order it is proposed to amend the Minor Tank Restoration Regulation, 1916, as amended by Regulation XV of 1923.

"Minor Tank" is defined so as to include those in inam villages. The raiyats in inam villages will have to contribute towards the cost of restoration in the same proportion as in Government villages. The balance will be shared by Government and inamdars in the proportion

of the land revenue payable by the inamdar to the Government and the total assessment of the village less the land revenue payable by the inamdar to Government.

No. 3878—L. C. Bangalore, dated 7th April 1937.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to amend the Mysore Irrigation Regulation, No. 1 of 1932, is published for general information with the statement of objects and reasons.

By Order,

A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

Bill to amend the Mysore Irrigation Regulation, No. I of 1932.

Whereas it is expedient to further amend the Mysore Irrigation Regulation, No. I of 1932, it is hereby enacted as follows :—

1. After Section 34 of the Mysore Irrigation Regulation, 1932 (hereinafter referred to as the said Regulation) the following section shall be added :—

"34 A. For the purposes of this chapter, an irrigation work includes such work in an inam village, though it is not constructed, maintained or controlled wholly or mainly by Government."

2. The following shall be added after the word "village" occurring in line 1 of Section 36 of the said Regulation :—

"and in the case of an inam village of the Inamdar also,"

3. The following shall be added after the word "patel" occurring in line 3 of Section 37 of the said Regulation :—

"the Inamdar in the case of an inam village."

STATEMENT OF OBJECTS AND REASONS.

While passing orders on the recommendations of the Inam Commission of 1918, Government directed that the responsibility of inamdars and tenants in regard to the restoration and maintenance of tanks in inam villages should be enforced on the same principle as in Government villages and that the inamdars should be given the power of enforcing the responsibility of the raiyats for the annual maintenance work. But no effect could be given to those orders till now for want of necessary legislation on the subject. The Inam Committee appointed in 1932 having urged the matter once again for consideration, Government directed that necessary legislation should be undertaken to give effect to the orders already passed.

It is therefore proposed to amend Irrigation Regulation so as to make Chapter VIII of the Regulation applicable to tanks in inam villages also.

Section 34 is proposed to be amended so as to extend the rule about the enforcement of customary labour to an irrigation work in an inam village also though such work is not constructed, maintained or controlled wholly or mainly by Government.

Section 36 is proposed to be amended so as to make the Inamdar responsible for the due performance of customary labour to an irrigation work in an inam village and Section 37 is proposed to be amended so as to give power to the Inamdar to get such work performed by hired labour when a person who is bound to contribute labour neglects or refuses to do so.

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